

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

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***For Immediate Release***

**NEWS RELEASE SUMMARY** - September 25, 2006

United States Attorney Carol C. Lam announced that Michael Anthony Gilliland, a Customs and Border Protection Officer (CBPO) assigned to the Otay Mesa Port of Entry, pled guilty today in federal court in San Diego to one count of bribery by a public official, one count of conspiracy to bring in illegal aliens for financial gain, and three counts of bringing in illegal aliens for financial gain. Codefendant Marina Perez de Garcia also pled guilty today to one count of bribery of a public official, one count of conspiracy to bring in illegal aliens for financial gain, and one count of bringing in an illegal alien for financial gain. Codefendant Patricia Santamaria also pled guilty to one count of conspiracy to bring in illegal aliens for financial gain, and one count of bringing in an illegal alien for financial gain. Codefendants Salvador Zuniga-Torres and Rosalba Raygoza-Romero pled guilty to one count each of transportation of an illegal alien. All defendants tendered their guilty pleas before United States District Judge John A. Houston.

According to Assistant U.S. Attorneys Stephen Tokarz and Linda Frakes, who are prosecuting the case, Gilliland, and the five codefendants, were charged on June 16, 2006, in a thirty-nine count indictment

alleging Bribery by a Public Official, Conspiracy to Bring in Illegal Aliens for Financial Gain, Bringing in Illegal Aliens for Financial Gain, Transportation of Illegal Aliens, Harboring Illegal Aliens, and Criminal Forfeiture.

Gilliland admitted, in connection with his guilty plea, that he received between \$70,000 and \$120,000 in United States currency and benefits from members of an alien smuggling organization, operated by codefendants Aurora Torres Lopez and Marina Perez de Garcia, in exchange for failing to enforce, and for violating, the immigration laws of the United States. Specifically, Gilliland intentionally allowed hundreds of illegal aliens to enter through his primary inspection lane at the Otay Mesa Port of Entry in exchange for cash payments. Gilliland further admitted that he provided his primary lane assignment (in code) to Aurora Torres Lopez and Marina Perez de Garcia so that they, and other members of their organization, could bring illegal aliens into the United States without inspection.

In connection with their guilty pleas, Marina Perez de Garcia, and Patricia Santamaria each admitted that between 2005 and June 2006 they earned a smuggling fee for the illegal aliens that they brought or assisted in bringing into the United States, and that they each assisted bringing in over 100 illegal aliens. In connection with Salvador Zuniga-Torres and Rosalba Raygoza-Romero's guilty pleas, they each admitted that they had transported 25 to 99 illegal aliens for the smuggling organization.

According to Assistant U. S. Attorneys Tokarz and Frakes, five defendants tendered their guilty pleas pursuant to written plea agreements. A condition of the Gilliland plea agreement requires Gilliland to forfeit to the United States the \$5,700 in cash found at his residence. Gilliland must also provide, under penalty of perjury, a financial disclosure form listing all his assets and financial interests valued at more than \$1,000. In addition, prior to sentencing, Gilliland must resign from his federal employment with the Department of Homeland Security. A condition of Marina Perez de Garcia's plea agreement requires her to forfeit the \$57,328 cash found at her residence. A condition of Patricia Santamaria's plea agreement requires her to forfeit her interest in her residence at 9046 Three Seasons Road, San Diego, California.

United States Attorney Lam said, "This was a sorry example of a man who lost any sense of duty that he may have once had."

This case was the result of a two-year investigation entitled, "Operation Midnight Express," involving agents of the Federal Bureau of Investigation, Immigration and Customs Enforcement (ICE) - Office of Professional Responsibility, Department of Homeland Security (DHS) - Office of Inspector General, United States Border Patrol, and Internal Revenue Service.

FBI Special Agent in Charge Daniel R. Dzwilewski commented, "Though Mr. Gilliland's actions are not representative of most of the conscientious personnel who work to protect our borders, his actions threatened the safety and security of our nation. Corruption among public officials, regardless of the criminal activity involved, will not be tolerated."

"Criminal organizations will go to great lengths to find a way to smuggle their contraband across the border. Unfortunately, public corruption is part of their agenda," said James Wong, Associate Special Agent in Charge for ICE Office of Professional Responsibility in San Diego. "This case sends a stern message that ICE and Department of Homeland Security will aggressively attack the corrupt and greed-driven criminal schemes that threaten our border security."

Richard L. Skinner, Inspector General of the U.S. Department of Homeland Security (DHS), Office of Inspector General (OIG) said, "We are always troubled to find that a DHS employee has violated the high trust placed in them by the department, their coworkers, and the public to use their official position for corrupt activities that compromise our Nation's borders. Today's guilty plea serves as a reminder that the OIG will aggressively investigate employee corruption allegations to protect the integrity of DHS personnel, programs and operations, and thereby our Nation's borders."

Adele Fasano, Customs and Border Protection Director of Field Operations said, "The court action today will send a strong message both to the community at large and to those in trusted positions in federal law enforcement who would contemplate participating in corrupt and unlawful behavior. CBP is a world-class law enforcement agency and enjoys a special position of national trust as the sole border enforcement agency.

The vast majority of our officers are highly skilled, hard-working professionals dedicated to our mission to protect the American public. We will not tolerate corruption within our workforce and we will actively ferret out and prosecute to the fullest extent of the law any employees who commit unethical or unlawful acts that violate that special trust.”

The remaining codefendant Aurora Torres Lopez is scheduled to appear for disposition before Judge Houston on Friday, September 29, 2006 at 11:00 a.m.

Gilliland is scheduled to appear for sentencing on January 12, 2007 at 9:00 a.m.; all other defendants are scheduled to appear for sentencing on December 15, 2006 at 9:00 a.m., before Judge John A. Houston.

## **DEFENDANTS**

## **Criminal Case No. 06CR1336-JAH**

Michael Anthony Gilliland  
Aurora Torres Lopez  
Marina Perez de Garcia  
Patricia Santamaria  
Salvador Zuniga-Torres  
Rosalba Raygoza-Romero

## **SUMMARY OF CHARGES**

Bribery by a Public Official - Title 18, United States Code, Section 201(b)(2)(A) and(C) and (b)(1)(A) and (C). Maximum Penalty: 15 years in prison and a fine not to exceed three times the monetary amount of the bribe.

Conspiracy to Bring in Illegal Aliens for Financial Gain - Title 18, United States Code, Section 371.  
Maximum Penalty: 5 years in prison and a \$250,000 fine per count.

Bringing in Illegal Aliens for Financial Gain - Title 8, United States Code, Section 1324(a)(2)(B)(ii).  
Maximum Penalty: 10 years in prison and a \$250,000 fine per count.

Transportation of Illegal Aliens - Title 8, United States Code, Section 1324(a)(1)(A)(ii) and (v)(II) .  
Maximum Penalty: 5 years in prison and a \$250,000 fine per count.

## **PARTICIPATING AGENCIES**

Federal Bureau of Investigation, Immigration and Customs Enforcement - Office of Professional Responsibility, United States Border Patrol, Department of Homeland Security - Office of Inspector General, Internal Revenue Service - Criminal Investigation, San Diego Police Department, Chula Vista Police Department, Long Beach Police Department